

Name: Steven Woods

FILED

fee due

Address: California Men's Colony

P.O. Box 8103

San Luis obispo, CA. 93409

CDC or ID Number: G-28472

2012 NOV 15 AM 8:49

U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

Superior Court of
Los Angeles County
(Court)

CV12-9760-PSG(PJW)
PETITION FOR WRIT OF HABEAS CORPUS

Steven Woods
Petitioner
vs.
State OF California
Respondent

No. VA115840
(To be supplied by the Clerk of the Court)

530

INSTRUCTIONS—READ CAREFULLY

- If you are challenging an order of commitment or a criminal conviction and are filing this petition in the Superior Court, you should file it in the county that made the order.
- If you are challenging the conditions of your confinement and are filing this petition in the Superior Court, you should file it in the county in which you are confined.
- Read the entire form *before* answering any questions.
- This petition must be clearly handwritten in ink or typed. You should exercise care to make sure all answers are true and correct. Because the petition includes a verification, the making of a statement that you know is false may result in a conviction for perjury.
- Answer all applicable questions in the proper spaces. If you need additional space, add an extra page and indicate that your answer is "continued on additional page."
- If you are filing this petition in the superior court, you only need to file the original unless local rules require additional copies. Many courts require more copies.
- If you are filing this petition in the Court of Appeal and you are an attorney, file the original and 4 copies of the petition and, if separately bound, 1 set of any supporting documents (unless the court orders otherwise by local rule or in a specific case). If you are filing this petition in the Court of Appeal and you are *not* represented by an attorney, file the original and one set of any supporting documents.
- If you are filing this petition in the California Supreme Court, file the original and 10 copies of the petition and, if separately bound, an original and 2 copies of any supporting documents.
- Notify the Clerk of the Court in writing if you change your address after filing your petition.

LODGED
CLERK, U.S. DISTRICT COURT
NOV 13 2012
CENTRAL DISTRICT OF CALIFORNIA
DEPUTY

Approved by the Judicial Council of California for use under rule 8.380 of the California Rules of Court (as amended effective January 1, 2007). Subsequent amendments to rule 8.380 may change the number of copies to be furnished to the Supreme Court and Court of Appeal.

This petition concerns:

- ☒ A conviction ☐ Parole
☐ A sentence ☐ Credits
☐ Jail or prison conditions ☐ Prison discipline
☐ Other (specify): _____

1. Your name: Steven Woods
 2. Where are you incarcerated? CMC P.O. Box 8103, San Luis Obispo, CA 93409
 3. Why are you in custody? ☒ Criminal conviction ☐ Civil commitment

Answer items a through i to the best of your ability.

- a. State reason for civil commitment or, if criminal conviction, state nature of offense and enhancements (for example, "robbery with use of a deadly weapon").

One count of possession for sale of cocaine base. 11351.5.

- b. Penal or other code sections: 11351.5 And 667.5 1135.1
 c. Name and location of sentencing or committing court: Los Angeles County Court
210 West Temple Street, Dept. M-6 L.A., CA 90012. Hon Michael L. Schurr.
 d. Case number: VA115840
 e. Date convicted or committed: 12-8-10
 f. Date sentenced: 2-9-2011
 g. Length of sentence: 10.4R
 h. When do you expect to be released? 4-1-2015
 i. Were you represented by counsel in the trial court? ☒ Yes ☐ No If yes, state the attorney's name and address:

Ernesto Pacheco, Deputy Alternate Public Defender
P.O. Box 3554 Granada Hills, CA. 91394

4. What was the LAST plea you entered? (Check one):

☒ Not guilty ☐ Guilty ☐ Nolo contendere ☐ Other: _____

5. If you pleaded not guilty, what kind of trial did you have?

☐ Jury ☒ Judge without a jury ☐ Submitted on transcript ☐ Awaiting trial

6. GROUNDS FOR RELIEF

Ground 1: State briefly the ground on which you base your claim for relief. For example, "The trial court imposed an illegal enhancement." (If you have additional grounds for relief, use a separate page for each ground. State ground 2 on page 4. For additional grounds, make copies of page 4 and number the additional grounds in order.)

The EVIDENCE was INSUFFICIENT to Support any CONVICTION for possession of Cocaine Base For Sale.

a. Supporting facts:

Tell your story briefly without citing cases or law. If you are challenging the legality of your conviction, describe the facts on which your conviction is based. If necessary, attach additional pages. CAUTION: You must state facts, not conclusions. For example, if you are claiming incompetence of counsel, you must state facts specifically setting forth what your attorney did or failed to do and how that affected your trial. Failure to allege sufficient facts will result in the denial of your petition. (See *In re Swain* (1949) 34 Cal.2d 300, 304.) A rule of thumb to follow is, who did exactly what to violate your rights at what time (when) or place (where). (If available, attach declarations, relevant records, transcripts, or other documents supporting your claim.)

ON March 23, 2010, Sgt Terence Johnson and Officer Brandon Patin stopped me and friend Johnny William because of expired registration tags. I had two plastic baggie in my mouth. Sgt Johnson handcuffs me and I spit out of my mouth.

Sgt Johnson Search me and pull out 18x\$100, 4x\$50, 2x\$20, 8x\$5, 1x\$10. And he call other Officer to do an Search on room 110 which is my room, He also Search on room 109. He found some more money in an brown bag \$290 dollars med that belongs to me which I told him that I keep this bag over to an friend that stay next door.

b. Supporting cases, rules, or other authority (optional):

(Briefly discuss, or list by name and citation, the cases or other authorities that you think are relevant to your claim. If necessary, attach an extra page.)

In re Christopher B. (1990) 219 Cal. App. 3d 455
In re Jackson (1986) 182 Cal. App. 3d 439
People v. Culp (2002) 100 Cal. App. 4th 1278
People v. Fugate (1900) 219 Cal. App. 3d 1408

We need to find out what is an Solid Substance containing cocaine in the Base Form.

a. Supporting facts:

I did have 2 Rock in my mouth, but I Wasn't Sale anything to anyone.

All the property found in room 110 is my. I Never stay in room 109, I am telling the true they knew I was telling the true. The Registration card tell them that I stay in room 110. All the Medication that was found in room 109 was my. I told this because I don't have any reasons to Lie about anything that was found in room 109 in my brown bag.

There was none drug found in room 110 because I stay there. And they knew that I own a car who wash, because other Officer told them. I haven't catch with drug just 5 ~~month~~ month before this.

b. Supporting cases, rules, or other authority:

People v. Meza (1995) 38 Cal. App. 4th 1741
People v. Lopez (1992) 11 Cal. App. 4th 1115
People v. Parra (1999) 70 Cal. App. 4th 222
People v. Redrick (1961) 55 Cal. 2d 282
People v. Culp (2002) 100 Cal. App. 4th 1278

8. Did you appeal from the conviction, sentence, or commitment? ☒ Yes ☐ No. If yes, give the following information:
- a. Name of court ("Court of Appeal" or "Appellate Division of Superior Court"): IN the Court of appeal of the State of CA. Second App Div, Div Eight
- b. Result: Denied c. Date of decision: 6-7-12
- d. Case number or citation of opinion, if known: B231292
- e. Issues raised: (1) Registration to Room 110.
(2) 11351
(3) 11351.5
- f. Were you represented by counsel on appeal? ☒ Yes ☐ No If yes, state the attorney's name and address, if known:
Pamela J. Voich (SBN) 156739) 30765 Pacific Coast Highway, #282
9. Did you seek review in the California Supreme Court? ☒ Yes ☐ No If yes, give the following information:
- a. Result: Denied b. Date of decision: 9-10-12
- c. Case number or citation of opinion, if known: 1A115840
- d. Issues raised: (1) Registration to Room 110
(2) 11351
(3) 11351.5
10. If your petition makes a claim regarding your conviction, sentence, or commitment that you or your attorney did not make on appeal, explain why the claim was not made on appeal:

N/A

11. Administrative review:

- a. If your petition concerns conditions of confinement or other claims for which there are administrative remedies, failure to exhaust administrative remedies may result in the denial of your petition, even if it is otherwise meritorious. (See *In re Muszalski* (1975) 52 Cal.App.3d 500.) Explain what administrative review you sought or explain why you did not seek such review:

Like I said before I used to know what is an solid substance, and why did the office testimony was different on 7-7-10. He testimony that he didn't remember how he got in to room 110.

- b. Did you seek the highest level of administrative review available? ☒ Yes ☒ No SW
Attach documents that show you have exhausted your administrative remedies.

12. Other than direct appeal, have you filed any other petitions, applications, or motions with respect to this conviction, commitment, or issue in any court? ☐ Yes If yes, continue with number 13. ☒ No If no, skip to number 15.

13. a. (1) Name of court: _____
- (2) Nature of proceeding (for example, "habeas corpus petition"): _____
- (3) Issues raised: (a) _____
- (b) _____
- (4) Result (attach order or explain why unavailable): _____
- (5) Date of decision: _____
- b. (1) Name of court: _____
- (2) Nature of proceeding: _____
- (3) Issues raised: (a) _____
- (b) _____
- (4) Result (attach order or explain why unavailable): _____
- (5) Date of decision: _____

c. For additional prior petitions, applications, or motions, provide the same information on a separate page.

14. If any of the courts listed in number 13 held a hearing, state name of court, date of hearing, nature of hearing, and result:

15. Explain any delay in the discovery of the claimed grounds for relief and in raising the claims in this petition. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)

None

16. Are you presently represented by counsel? ☐ Yes ☒ No If yes, state the attorney's name and address, if known:

17. Do you have any petition, appeal, or other matter pending in any court? ☐ Yes ☒ No If yes, explain:

18. If this petition might lawfully have been made to a lower court, state the circumstances justifying an application to this court:

Supreme Court of the United States, Washington,
D.C. 20543-0001

I, the undersigned, say: I am the petitioner in this action. I declare under penalty of perjury under the laws of the State of California that the foregoing allegations and statements are true and correct, except as to matters that are stated on my information and belief, and as to those matters, I believe them to be true.

Date: 10-8-2012

Steu Wood
(SIGNATURE OF PETITIONER)



TERRY NAFISI

District Court Executive
and Clerk of Court

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

WESTERN DIVISION
312 North Spring Street, Room G-8 Los
Angeles, CA 90012
Tel: (213) 894-7984

SOUTHERN DIVISION

411 West Fourth Street, Suite 1053
Santa Ana, CA 92701-4516
(714) 338-4570

EASTERN DIVISION

3470 Twelfth Street, Room 134
Riverside, CA 92501
(951) 328-4450

Thursday, November 15, 2012

STEVEN WOODS, G-28472
CALIFORNIA MEN'S COLONY
P.O. BOX 8103
SAN LUIS OBISPO, CA 93409

Dear Sir/Madam:

A ☒ Petition for Writ of Habeas Corpus was filed today on your behalf and assigned civil case number CV12- 9760 PSG (PJW)

A ☐ Motion pursuant to Title 28, United States Code, Section 2255, was filed today in criminal case number _____ and also assigned the civil case number _____

A ☐ Motion for Extension of Time to File Habeas Corpus Petition was filed today on your behalf and assigned civil case number _____

Please refer to these case numbers in all future communications.

Please Address all correspondence to the attention of the Courtroom Deputy for:

☐ District Court Judge _____

☒ Magistrate Judge Patrick J. Walsh

at the following address:

☒ U.S. District Court
312 N. Spring Street
Civil Section, Room G-8
Los Angeles, CA 90012

☐ Ronald Reagan Federal
Building and U.S. Courthouse
411 West Fourth St., Suite 1053
Santa Ana, CA 92701-4516

☐ U.S. District Court
3470 Twelfth Street
Room 134
Riverside, CA 92501

The Court must be notified within fifteen (15) days of any address change. If mail directed to your address of record is returned undelivered by the Post Office, and if the Court and opposing counsel are not notified in writing within fifteen (15) days thereafter of your current address, the Court may dismiss the case with or without prejudice for want of prosecution.

Very truly yours,
Clerk, U.S. District Court

By: AMARTINE
Deputy Clerk



TERRY NAFISI

District Court Executive
and Clerk of Court

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

WESTERN DIVISION
312 North Spring Street, Room G-8 Los
Angeles, CA 90012
Tel: (213) 894-3535

SOUTHERN DIVISION

411 West Fourth Street, Suite 1053
Santa Ana, CA 92701-4516
(714) 338-4570

EASTERN DIVISION

3470 Twelfth Street, Room 134
Riverside, CA 92501
(951) 328-4450

Thursday, November 15, 2012

STEVEN WOODS, G-28472
CALIFORNIA MEN'S COLONY
P.O. BOX 8103
SAN LUIS OBISPO, CA 93409

Dear Sir/Madam:

Your petition has been filed and assigned civil case number CV12- 9760 PSG (PJW)

Upon the submission of your petition, it was noted that the following discrepancies exist:

- ☒ 1. You did not pay the appropriate filing fee of \$5.00. Submit a cashier's check, certified bank check, business or corporate check, government issued check, or money order drawn on a major American bank or the United States Postal Service payable to 'Clerk U.S. District Court'. If you are unable to pay the entire filing fee at this time, you must sign and complete this court's Prisoner's Declaration In Support of Request to Proceed In Forma Pauperis in its entirety. The Clerk's Office will also accept credit cards (Mastercard, Visa, Discover, American Express) for filing fees and miscellaneous fees. Credit card payments may be made at all payment windows where receipts are issued.
- ☒ 2. The Declaration in Support of Request to Proceed in Forma Pauperis is insufficient because:
- ☐ (a) You did not sign your Declaration in Support of Request to Proceed in Forma Pauperis.
- ☐ (b) Your Declaration in Support of Request to Proceed in Forma Pauperis was not completed in its entirety.
- ☒ (c) You did not submit a Certificate of Prisoner's Funds completed and signed by an authorized officer at the prison.
- ☐ (d) You did not use the correct form. You must submit this court's current Declaration in Support of Request to Proceed in Forma Pauperis.
- ☐ (e) Other: _____

Enclosed you will find this court's current Prisoner's Declaration in Support of Request to Proceed in Forma Pauperis, which includes a Certificate of Funds in Prisoner's Account Form.

Sincerely,

Clerk, U.S. District Court

AMARTINE

By: _____

Deputy Clerk

CALIFORNIA MEN'S COLONY STATE PRISON
P.O. BOX 8109
SAN LUIS OBISPO, CA 93409-8109

Name: Wanda Stevens
CDCR # G-28472 Cell #: 03-45 Echo facility

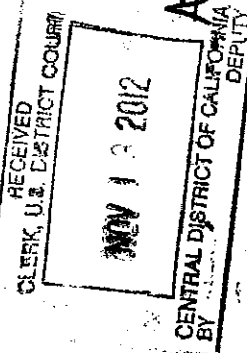
CALIFORNIA MEN'S COLONY
STATE PRISON
SAN LUIS OBISPO CA 93409



**STATE PRISON
GENERATED MAIL**

2254

Legal Mail



**United States Courthouse
ATTN: Intake-Docket Section
312 North Spains Street**

Los Angeles, CA. 90012

9001232558



Handwritten: **Legal** **cc of pg**